



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

August 27, 1996

Mr. Richard J. Ybarra
Open Records Coordinator
General Counsel Division
Office of the Attorney General
P.O. Box 12548
Austin, Texas 78711-2548

OR96-1540

Dear Mr. Ybarra:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your requests were assigned ID#s 28121, 28238 and 28387.

The Office of the Attorney General received three requests for records related to an investigation of the Henderson County District Attorney E. Ray Andrews. You originally asserted that all of the requested information is excepted from disclosure pursuant to section 552.108 of the Government Code. We understand, however, that this office has already released certain records in response to later requests for the same information. The later requests were assigned ID#s 34279 and 34284. Based on correspondence from Ms. Catherine Gillis from the Prosecutors Assistance and Special Investigations Division relating to ID# 34279, it appears that you do not object to release of most of the requested information. You contend that the remaining information may be withheld under section 552.108 of the Government Code.

Section 552.108 excepts from disclosure "[i]nformation held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime." Gov't Code § 552.108; see *Holmes v. Morales*, 924 S.W.2d 920 (Tex. 1996). Because the remaining requested records deal with the investigation of crime, we conclude that you may withhold the records at this time.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue

under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Loretta R. DeHay
Assistant Attorney General
Open Records Division

LRD/SAB/rho

Ref.: ID#s 28121, 28238 and 28387

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